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C O N F I D E N T I A L SECTION 01 OF 02 KINSHASA 001027

SIPDIS

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TAGS: [PHUM](#) [PGOV](#) [KPKO](#) [MOPS](#) [CG](#)
SUBJECT: MONUC WITHHOLDING ASSISTANCE TO FARDC'S 213TH
BRIGADE

REF: KINSHASA 1023

Classified By: Ambassador William J. Garvelink for reasons 1.4 (b) and
(d).

11. (C) Summary: MONUC's decision to suspend support for elements of the FARDC's 213th Brigade is based on a draft report from the UN Joint Human Rights Office (UNJHRO), implicating the FARDC in the killings of at least 62 civilians in the vicinity of Nyabiondo between May-September 2009. The troops and commanders involved in the killings were apparently ex-CNDP integrated into the FARDC. The local population, predominantly Hunde, apparently fears that ex-CNDP FARDC are attempting to create lebensraum for Rwandophones. The publicly announced MONUC/FARDC joint investigation team has not yet begun due to the presence of APCLS (Alliance of Patriots for a Free and Sovereign Congo) forces in the region. End summary.

UNJHRO Draft Report Implicates ex-CNDP in Killings

12. (C) MONUC's decision to suspend support for elements of the FARDC's 213th Brigade stems from draft conclusions from a UN Joint Human Rights Office (UNJHRO) October 13-20 mission to the Nyabiondo region (Note: UNJHRO provided post with a draft copy, which has not yet been approved by SRSG Doss; UNJHRO therefore asked post to limit distribution of the draft conclusions. Draft was emailed to AF/C on November 2. End Note). The report states that there is credible evidence that FARDC elements (ex-CNDP) killed at least 62 civilians (almost all Hunde) in Lukweti and Lwibo since May 2009 in various attacks. These attacks occurred during or following FARDC operations against the Hunde rebel group, the APCLS (Alliance of Patriots for a Free and Sovereign Congo). This combat has been particularly intense since June, when "General" Janvier announced the APCLS would remain outside of the integration process, and the FARDC announced that all non-integrated armed groups would henceforth be considered renegade groups. Local eyewitnesses have identified the FARDC perpetrators as ex-CNDP elements integrated into the FARDC. Many locals perceive the attacks as attempts by ethnic Tutsis to provoke other ethnic groups to flee the area and thus free up land for Congolese Tutsis.

13. (C) According to the UNJHRO report, Colonel Ngabo (ex-CNDP) commands the soldiers in the 213th implicated in the killings. The 213th is part of the FARDC's Sector 21 commanded by Albert Kahasha until September. However, UNJHRO obtained evidence indicating that operations in the May-September timeframe were rather led by Kahasha's deputy, Colonel Salongo (ex-CNDP). The 213th Brigade is composed of FARDC soldiers, ex-CNDP elements, and PARECO elements. The brigade contains numerous ex-CNDP cadres, who are viewed very negatively by the local population, mainly Hunde.

¶4. (C) According to the report, MONUC blue helmets were aware of tense conditions in the region, but were not aware of the killings. MONUC access to the affected areas, from its COB in Nyabiondo, is limited by bad roads and APCLS activity. Recent use of MONUC attack helicopters against the APCLS has cemented the APCLS's impression that MONUC is fighting in the area as a close ally of the FARDC. MONUC had conducted joint patrols with Congolese National Police units, avoiding joint patrols with FARDC units, which reportedly have bad relations with most locals.

¶5. (SBU) The publicly announced joint MONUC/FARDC investigation into the 213th Brigade's alleged misconduct has not yet commenced. According to MONUC, this is because the presence of APCLS elements in the area have complicated the deployment of the joint investigation team for fear that it would jeopardize on-going DDRRR activities. The team hopes to deploy by the week of November 23-27. In the meantime, MONUC continues to withhold all support to the 213th's 2nd Battalion. To date, there has been no public reaction from the FARDC regarding MONUC's decision. MONUC Force Commander Lieutenant General Gaye apparently briefed CHOD Etumba in advance of MONUC's announcement.

¶6. (C) Comment: MONUC's decision to suspend its support to the 213th was the right decision; the death toll, according to UNJHRO, could be much higher. MONUC officials in Kinshasa and in Eastern DRC told us recently that they hoped to employ more conditionality on MONUC's support for the FARDC, withdrawing support when gross human rights violations are

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uncovered. The findings and recommendations from the joint MONUC/FARDC investigation may be an important indicator whether or not the FARDC is willing or able to rein in ex-CNDP elements. For many in the Kivus, there is a strong belief that the "integrated CNDP" is operating much as it did prior to January 2009. There is also a real or perceived fear amongst non-Rwandophones that FARDC (ex-CNDP) military action is primarily designed to allow Congolese Rwandophones, returning Congolese Tutsi refugees, or even Rwandan citizens, to settle in the areas. Given this, armed groups with local support, such as the APCLS, will most likely continue as an irritant (reftel). End comment.
GARVELINK